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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

LEA EDMONDS, LISA S

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 06/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/023,228

Applicant(s)

SHIMANO, KENJI

Examiner

Lisa Lea-Edmonds

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 17 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☒ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

Art Unit: 2835

DETAILED ACTION***Oath/Declaration***

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It does not identify the mailing or post office address of each inventor. A mailing or post office address is an address at which an inventor customarily receives his or her mail and may be either a home or business address. The mailing or post office address should include the ZIP Code designation. The mailing or post office address may be provided in an application data sheet or a supplemental oath or declaration. See 37 CFR 1.63(c) and 37 CFR 1.76.

It does not identify the citizenship of each inventor.

It does not identify the city and either state or foreign country of residence of each inventor. The residence information may be provided on either on an application data sheet or supplemental oath or declaration.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 10-12, 16-21, 24-92, and 33-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Miyagawa et al. (5268817). With respect to claims 1-6, Miyagawa et al. teaches a portable computer configurable in a tablet configuration, a laptop configuration, and a closed configuration, said portable computer comprising: a base unit having a primary input device and a bottom surface; a display unit having a display device and a back surface, said display unit movably attached to said base unit such that said primary input device is between said back surface of said display unit and said bottom surface of said base unit when said portable computer is in said tablet configuration and such that said primary input device and said display device are between said back surface of said display unit and said bottom surface of said base unit when said portable computer is in said closed configuration; and a latching assembly capable of being selectively changed from an open state to a closed state, said latching assembly having a first portion coupled to said display unit and a second portion coupled to said base unit, wherein said latching assembly is changed to said closed state to maintain said portable computer in one of said tablet configuration and said closed configuration, wherein said primary input device is one of a keyboard, a mouse, and a pointing device, wherein said display device may be used as a secondary input device when said portable computer is in said tablet configuration, wherein data may be input using said display device based on the selection of an area of the display device, further including a stylus, further including circuitry

Art Unit: 2835

and 24-29, Miyagawa et al. teaches a portable computer configurable in a tablet configuration, a laptop configuration, and a closed configuration, said portable computer comprising: a display unit having a display device and a back surface; a base unit having a primary input device and a bottom surface; a latching assembly to maintain said portable computer in one of said closed configuration and said tablet configuration; and a hinging assembly coupling said display unit to said base unit, said hinging assembly having a first hinge with a first axis of rotation and a second hinge with a second axis of rotation, wherein one of said first hinge and said second hinge is rotated to reconfigure said portable computer between said closed configuration and said laptop configuration, and said first hinge and said second hinge are rotated to reconfigure said portable computer between said closed configuration and said tablet configuration, wherein said back surface of said display unit is positioned over said primary input device of said base unit when said portable computer is in said tablet mode, wherein said primary input device and said display device are between said back surface of said display unit and said bottom surface of said base unit when said portable computer is in said closed configuration, wherein the angle of rotation of said display unit relative to said base unit achievable by rotating only said first hinge is at a maximum when said portable computer is in said laptop configuration, wherein one of said first hinge and said second hinge has a limited range of rotation such that an upper limit of said range of rotation is reached when said portable computer is in the laptop configuration, wherein said first axis of rotation and said second axis of rotation are perpendicular, wherein rotation of said first hinge causes said display unit to tilt with respect to said base unit and rotation of said second hinge causes said display unit to swivel with respect to said base unit, wherein said display unit has a first orientation when said portable computer is in said laptop configuration, and further wherein said second hinge operates in a range of rotation having an upper limit, such that said display unit has a second orientation opposite to said first orientation when said second hinge is rotated to said upper limit of said range of rotation of said second hinge, wherein said first hinge has a range of rotation with an upper limit of 90 degrees, further including a cable for transmitting electronic signals, said cable having a first end coupled to said base unit and a second end coupled to said display unit, wherein a portion of said cable passes through said shaft, further including a locking pin selectively insertable into a first cavity to prevent said second hinge from rotating, wherein said locking pin is inserted into said first cavity when said portable computer is in said laptop configuration, further including a second cavity, wherein said display unit has a first orientation when said portable computer is in said laptop configuration, wherein said second hinge operates in a range of rotation having an upper limit, wherein a) said display unit has a second orientation opposite to said first orientation when said second hinge is rotated to

Art Unit: 2835

second cavity when said display unit is in said second orientation, wherein said locking pin is inserted into said first cavity by movement of a mechanical actuator, wherein said mechanical actuator is one of a lever arm and a push button. With respect to method claims 33-37, Miyagawa et al. teaches a method for reconfiguring a portable computer among a tablet configuration, a laptop configuration, and a closed configuration, wherein said display device is contained in a display unit and said primary input device is contained in a base unit, said method comprising, when said portable computer is in said closed configuration such that said display device and said primary input device are contained between a back surface of said display unit and a bottom surface of said base unit, rotating a first hinge to tilt said display unit relative to said base unit until said portable computer is in said laptop configuration; rotating a second hinge when said portable computer is in said laptop configuration to swivel said display unit relative to said base unit; rotating said first hinge after said second hinge has been rotated to place said portable computer in said tablet configuration; and closing a latching assembly when said portable computer is in said tablet configuration to couple said base unit to said display unit, further including opening said latching assembly when said portable computer is in said closed configuration, wherein rotating said second hinge includes removing a locking pin from a cavity when said portable computer is in said laptop configuration, wherein rotating said second hinge includes inserting a locking pin into a cavity after said display unit has been swiveled relative to said base unit and, wherein said first hinge is rotated to tilt said display unit until said display unit is perpendicular to said base unit as claimed (see for example figures 12-36 column 9 line 60 through column 19 line 26). It is to be noted that there are a plurality of embodiments disclosed by Miyagawa et al. using a plurality of element numbers for the same elements therefore no element numbers are stated above, however the examiner of record is relying on embodiments three through six (figures 12-36 respectfully).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 8, 13-15, 23, and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyagawa et al. as applied to the claims above, and further in view of Goto et al. (6122152). With respect to claims 7, 8, 13-15, 23, and 30-

Art Unit: 2835

teaching of the latching assembly as claimed. The apparatus of Goto et al. is relied upon for its teaching of latching assembly further including a latching arm having a first projection and a latch body having a first cavity adapted to receive said first projection to maintain said portable computer in one of said closed configuration and said tablet configuration, wherein said latching arm further including a second projection, wherein said first cavity is also adapted to receive said second projection, and further wherein said first projection is received by said first cavity to maintain said portable computer in said closed configuration, and further wherein said second projection is received by said first cavity to maintain said portable computer in said tablet configuration, wherein said latching arm further including a second projection and said latch body further including a second cavity adapted to receive said second projection, wherein said first projection is received by said first cavity to maintain said portable computer in said closed configuration, and further wherein said second projection is received by said second cavity to maintain said portable computer in said tablet configuration (see for example figures 1-3 and 5A-7B). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Goto et al. into the apparatus of Miyagawa et al. aid in retaining the device in a plurality of positions.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please note the portable computers of Ditzik (5668570), Masamitsu et al. (2003/0106724), Haneda et al. (5900848), Emma et al. (6262885), and Moon (6275376).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Lea-Edmonds whose telephone number is 703-305-0265. The examiner can normally be reached on Monday - Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 703-308-4815. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3431 for regular communications and 703-305-3432 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-1782.

Lisa Lea-Edmonds
Examiner
Art Unit 2835